



United States Mission to the OSCE

Response to FOM Representative Miklos Haraszti

As delivered by Deputy Chief of Mission, Paul W. Jones
to the Permanent Council, Vienna
September 16, 2004

Thank you, Mr. Chairman,

I would like to thank Mr. Haraszti for his comprehensive report to the Permanent Council. Like his previous report in June, it gives us simultaneously a sense of accomplishment for the progress we, the OSCE participating States, have made in the area of media freedom, and a sense of disappointment at the persistent problems that undermine the value of media freedom.

We would like to commend Mr. Haraszti's office for its commitment to decriminalize libel. As U.S. Supreme Court Justice Potter Stewart famously wrote, "Without an informed and free press there cannot be an enlightened people." In the United States, the right to freedom of the press is enshrined in the First Amendment to the Constitution. Only when libel is decriminalized, can there be a vibrant market place of ideas, which is an important condition for an open society.

As a country which made an extra budgetary contribution to the project to develop a database matrix on libel legislation in the OSCE region, the United States will continue to support Mr. Haraszti's office in its efforts to decriminalize libel.

We would like to thank Mr. Haraszti's office for organizing the Amsterdam Internet Conference. The Internet empowers individual citizens, both by putting an amazing array of knowledge at their fingertips and by giving them a far greater ability to voice their views and ultimately influence public debate.

The Internet is a virtual town hall meeting for anyone who has access to it. It is true that some of the nooks and crannies of the Worldwide Web are infested with pornography and hate speech. We are also aware that terrorists have access through the Internet to information that may facilitate their planning of heinous acts. However, the positive aspects of the marketplace of free information far outweigh any benefit to be gained from censoring free speech on the Internet.

Any government that attempts to screen and regulate the Internet puts itself on a slippery slope that could ultimately jeopardize freedoms of speech, expression, and the press.

We are looking forward to receiving the "Media Freedom Internet Cookbook." The value of the Amsterdam conference will be proven when participating States adopt the concrete recommendations that were raised at the conference.

Like Mr. Haraszti's office, we have followed the rapid deterioration of media freedom in Belarus. As we discussed at last week's Permanent Council, and as was noted in Mr.

Haraszi's report, the situation is grim. The Government of Belarus is not upholding its OSCE commitment to media freedom. We urge the Belarusian authorities to lift the suspensions on independent newspapers, to cease harassing and intimidating independent journalists and media outlets, and to take immediate steps to create an environment where independent media thrives. These steps are absolutely essential in order for the upcoming elections and referendum to meet OSCE standards and to be an accurate reflection of the will of the Belarusian people.

We were very concerned by the Belarusian government's failure to issue a visa to Mr. Haraszi to take a trip that he had been planning closely in conjunction with Belarusian authorities. We understand that Mr. Haraszi has now received an official invitation to visit Belarus "anytime". The Belarusian government should welcome Mr. Haraszi's offer to "make practical and future-oriented recommendations in order to assist the country in adhering to its OSCE commitments" and should make every effort to facilitate his visit as soon as possible.

In response to the March violence in Kosovo, we continue to focus our attention and support on ways to improve professionalism of the media and to increase minority language programming in Kosovo. We will continue to work with and support the efforts of OMIK's Department of Democratization and the Temporary Media Commissioner in these and other vital efforts. To that end, we applaud the OSCE's role in helping establish in July Kosovo's first multi-ethnic television station, TV Herc.

Despite our commitment to ensuring media freedom and independence in the OSCE region, journalists continue to be arrested, barred from covering important events, and killed. We cannot list all of these unfortunate cases here. Mr. Haraszi's office has diligently compiled them for us. I would note only that we still do not know who murdered American journalist Paul Klebnikov in Moscow in July. Italian journalist Enzo Baldoni was kidnapped and murdered in Iraq, while two French journalists are still in the custody of their kidnappers in that country.

Media freedom and independence are core components of an open and democratic society that are all too often breached. Why should that be the case? We, the OSCE participating States, all voluntarily signed the 1991 Moscow Document. It states, "Free and independent media are essential to a free and open society and accountable systems of government and are of particular importance in safeguarding human rights and fundamental freedoms." We call upon all participating States to work together to ensure that media freedom is thriving within the entire OSCE region.

I thank you Mr. Haraszi once more and thank you, Mr. Chairman.